

DOCKET FILE COPY ORIGINAL



November 12, 2003

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
12<sup>th</sup> Street Lobby - TW - A325  
Washington, D.C. 20554

Re: Petition for Rule Making  
Llano and Sunrise Beach Village, Texas

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my Motion  
to Dismiss Petition which proposed to move 293C3 at Llano,  
Texas to 293A at Sunrise Beach Village, Texas

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joe Garcia".

Joe Garcia, Vice President  
Elgin FM Limited Partnership  
7524 North Lamar, suite 200  
Austin, Texas 78752  
(512) 453-1491 (tele)  
(512) 458-0700 (fax)

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Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of                    )  
  )  
Amendment of 73.202 (b)        )     MB Docket No. \_\_\_\_\_  
Table of Allotments            )  
FM Broadcast Stations          )  
(Llano and Sunrise Beach  
Village)                            )

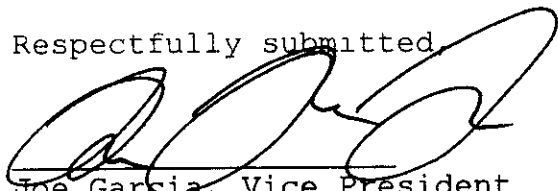
To: John Karousos, Assistant Chief  
Audio Division of the  
Media Bureau

Motion to Dismiss Petition

I, Joe Garcia, Vice President, Elgin FM Limited Partnership, respectfully move that the FCC dismiss my Petition, filed on or about September 18, 2003, to move Channel 293C3 at Llano, Texas to Channel 293A at Sunrise Beach Village. The FCC has dismissed my CP for Llano, Texas and therefore I must request that this Petition be dismissed.

An appropriate Affidavit, required by 47 CFR 1.420(j), is attached hereto.

Respectfully submitted,



Joe Garcia, Vice President  
Elgin FM Limited Partnership  
7524 North Lamar, suite 200  
Austin, Texas 78752  
(512) 453-1491 (tele)  
(512) 458-0700 (fax)

November 12, 2003

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SWORN AFFIDAVIT

Joe Garcia, Vice President, Elgin FM Limited Partnership does state under penalty of perjury:

1. My name is Joe Garcia and I filed a Petition to move Channel 293C3 at Llano, Texas to Channel 293A at Sunrise Beach Village, Texas on or about September 18, 2003.

2. I have decided not to pursue the move of Channel 293C3 at Llano, Texas to Channel 293A at Sunrise Beach Village at this time. Therefore, I am respectfully requesting the FCC my Petition at this time. I hereby certify that I have not nor will not receive, either directly or indirectly, any money or other consideration in connection with the dismissal of the Petition/expression of interest. I declare that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed this 12<sup>th</sup> day of November, 2003.

A handwritten signature in black ink, appearing to read 'Joe Garcia', is written over a horizontal line.

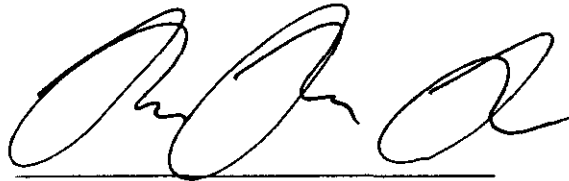
Joe Garcia, Vice President  
Elgin FM Limited Partnership  
7524 North Lamar, suite 200  
Austin, Texas 78752

(512) 453-1491 (tele)  
(512) 458-0700 (fax)

**CERTIFICATE OF SERVICE**

I, Joe Garcia, Vice President of Elgin FM Limited Partnership, hereby certify that on this 12<sup>th</sup> day of November, 2003, I caused copies of the foregoing "Motion to Dismiss Petition" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

CXR Holdings, Inc.  
Station KCJZ  
3993 Howard Hughes Parkway  
Suite 250  
Las Vegas, Nevada 89109

A handwritten signature in black ink, appearing to read 'Joe Garcia', written over a horizontal line.

Joe Garcia  
Vice President  
Elgin FM Limited Partnership